

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

May 07, 2024

LAURA A. AUSTIN, CLERK

BY:

s/A. Beeson
DEPUTY CLERK

ANTONIO HAWKINS,

Plaintiff,

v.

LT. LAMBERT, *et al.*,

Defendants.

Civil Action No. 7:21cv00309

MEMORANDUM OPINION

By: Hon. Thomas T. Cullen
United States District Judge

Plaintiff Antonio Hawkins, proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. By conditional filing orders entered May 17 and June 14, 2021, the court advised Hawkins that he must notify the court in writing immediately upon his transfer or release and must provide the court with his new address. (*See* ECF Nos. 3 & 5.) The court further advised Hawkins that failure to provide an updated address would result in dismissal of this action. (*Id.*)

On April 24, 2024, an order sent to Hawkins was returned to the court as undeliverable. (*See* ECF No. 58.) The envelope of the returned mail indicates that Hawkins is no longer incarcerated in the Virginia Department of Corrections and does not contain a forwarding address. (*Id.*) To date, Hawkins has not provided the court with an updated address as required by the court's conditional filing orders. Accordingly, the court will dismiss this action without prejudice for failure to comply with the court's orders. The court notes that this dismissal is without prejudice to Hawkins's opportunity to refile his claims in a separate civil action, subject to the applicable statute of limitations.

The Clerk is directed to send a copy of this Memorandum Opinion and the accompanying Order to Hawkins at his last known address and to counsel of record for the defendants.

ENTERED this 7th day of May, 2024.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE